

Amendments to House Bill No. 610
1st Reading Copy

Requested by Representative Bill Harris

For the House Agriculture Committee

Prepared by Hope Stockwell
March 20, 2013 (2:18pm)

1. Title, page 1, line 7.

Following: "81-2-120,"

Insert: "81-2-121,"

2. Title, page 1, line 8.

Following: "81-3-201,"

Insert: "81-4-201,"

3. Title, page 1, line 9.

Strike: "REPEALING SECTION 81-2-121, MCA;"

4. Page 2, line 9.

Strike: "that is not"

5. Page 2, line 10.

Strike: "and has not been designated by"

Insert: "that"

6. Page 2, line 11.

Following: "parks"

Insert: "have designated"

7. Page 3.

Following: line 21

Insert: "Section 3. Section 81-2-121, MCA, is amended to read:

"81-2-121. Taking of ~~publicly owned~~ wild buffalo or wild bison that are present on private property -- notice -- supplemental feeding -- penalty. (1) This chapter may not be construed to impose, by implication or otherwise, criminal liability on a landowner or the agent of a landowner for the taking of a ~~publicly owned~~ wild buffalo or wild bison that is suspected of carrying disease and that is present on the landowner's private property and is potentially associating with or otherwise threatening the landowner's livestock if the landowner or agent:

(a) notifies or makes a good faith effort to notify the department in order to allow as much time as practicable for the department to first take or remove the ~~publicly owned~~ wild buffalo or wild bison that is present on the landowner's property;

(b) makes a good faith effort to notify the department that a taking has occurred and to retain all parts for disposal by the department; and

(c) is not in violation of subsection (2)(a).

(2) (a) A person may not intentionally provide supplemental feed to game animals in a manner that results in artificial concentration of game animals that may potentially contribute to the transmission of disease. A person who violates this subsection (2)(a) shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, a person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court.

(b) This subsection (2) does not apply to supplemental feeding activities conducted by the department for disease control purposes."

{Internal References to 81-2-121: None.}"

Renumber: subsequent sections

8. Page 4.

Following: line 7

Insert: "Section 5. Section 81-4-201, MCA, is amended to read:

"81-4-201. **Animals running at large.** It is unlawful for an owner or person in control of swine, sheep, llamas, alpacas, domestic or feral bison, ostriches, rheas, emus, or goats to willfully permit the animals to run at large."

{Internal References to 81-4-201:

81-4-202x }"

Renumber: subsequent sections

9. Page 8, line 28.

Strike: "is not contiguous with the boundaries of Yellowstone national park and"

10. Page 20, line 9 through line 12.

Strike: section 18 in its entirety

Renumber: subsequent sections

- END -